

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)
ML-0414DIV

In re Application of: **James M. Zavislan**
Application No.: **09/658,736**
Filed: **September 11, 2000**
For: **SYSTEM FOR CONFOCAL IMAGING WITHIN DERMAL TISSUE**

The owner*, **LUCID, INC.**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend the expiration date of the full statutory term **prior patent** **6,937,886** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

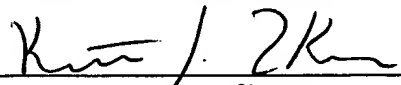
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2. ☒ The undersigned is an attorney or agent of record. Reg. **38,539**


Signature

November 16, 2006
Date

Kenneth J. LuKacher
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585-424-2670
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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